

REGULAR MEETING CITY COUNCIL

June 19, 2023

The City Council of the City of Albemarle met in a regular session on Monday, June 19, 2023 at 6:30 p.m. in the Council Chambers of City Hall. Mayor Ronnie Michael presided, and the following members were present, to-wit: Mayor Pro Tempore Martha Sue Hall and Councilmembers Chris Bramlett, Dexter Townsend, Bill Aldridge, David Hunt, and Benton Dry. Absent: Councilmember Chris Whitley.

Mayor Michael called the meeting to order.

SPECIAL PRESENTATION / RESOLUTION

Resolution 23-17 – Honoring the Albemarle High School Women’s Track Team

The Mayor read the resolution aloud and called for a motion to adopt the resolution.

Upon a motion by Councilmember Townsend, seconded by Councilmember Aldridge and unanimously carried, Council adopted Resolution 23-17 honoring the Albemarle High School women’s track team.

The Mayor invited Council to come down from the dais to meet representatives of the track team and asked anyone present from the Albemarle High School track team to come up.

Coach Bernard Henry made some brief remarks and accepted Council’s recognition on behalf of the women’s track team.

The audience gave the team a round of applause.

[Resolution 23-17 – Honoring the Albemarle High School Women’s Track Team]

Upon a motion by Councilmember Hall, seconded by Councilmember Dry and unanimously carried, Council approved the June 5, 2023 regular and closed meeting minutes as submitted.

PUBLIC HEARINGS

The Mayor announced that the public hearings for the development agreement, annexation, and rezoning of a 100-acre property on City Lake Drive near the intersection of Highway 73 (tax parcel #23160) would be continued to the July 10th meeting. He added that for those who came to speak in relation to these items had an option to come in front of Council tonight and/or the meeting in July or defer their remarks until the meeting in July. The developer continues to work through issues

and has requested the item once again be held over, therefore the Council again would not take action on these items tonight.

Ordinance 23-13 – To Consider a Development Agreement for the Long Lake Annexation

Council continued a public hearing to consider a development agreement outlining development criteria between the City of Albemarle and BRD Land and Investment.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Dry and unanimously carried, Council continued the public hearing until Monday, July 10, 2023.

Ordinance 23-09 - Long Lake Development Request for Voluntary Annexation

Council continued a public hearing to consider the proposed annexation of 100 acre property on City Lake Drive near the intersection of Highway 73 (tax parcel #23160).

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge and unanimously carried, Council continued the public hearing until Monday, July 10, 2023.

Ordinance 23-10 – Consider Zoning for Long Lake Development (ZMA23-04)

Council opened a public hearing to consider the proposed rezoning of tax parcel #23160 from County R-10 LLNCD to City R-10.

Upon a motion by Councilmember Dry, seconded by Councilmember Hunt and unanimously carried, Council continued the public hearing until Monday, July 10, 2023.

Ordinance 23-23 – Consider a request to Rezone a 1.54 Acre Parcel on Highway 24-27 Bypass West from R-10/General Residential Business District to GHBD/ General Highway Business District (ZMA23-05)

Council conducted a public hearing to consider a request to rezone a 1.54 parcel on 24-27 NC Bypass West, Tax parcel #3145, from R-10, General Residential Business District to GHBD General Highway Business District.

Senior Planner Travis Swain came in front of Council to summarize the request and take questions from Council. The applicant intends to rezone a 1.54 ± acre tract from R-10/General Residential District to GHBD/General Highway Business District to allow for commercial development on the property. The above stated tract is contiguous to existing GHBD along the majority of the eastern property line. In addition, the Future Land Use Map references this area as Commercial, which would favor the GHBD zoning for this parcel. Any future development of this site would be subject to required street plantings, bufferyard requirements, setbacks, etc. per the City's Code of Ordinances. It is also

important to note, for future development, that utility lines pass across the property which may impact placement of structures on the property.

The zoning map amendment request was considered by Planning and Zoning Board on June 1, 2023 and was recommended unanimously for approval with a consistency statement.

The Mayor asked if the applicant would like to make remarks. Ms. Kecia Jones came in front of Council. She assured Council that her rezoning request of the property was a purposeful use due to it being adjacent to commercially zoned properties such as the Habitat for Humanity Restore and a gas station.

The Mayor opened the public hearing and asked if anyone would like to speak. No one came forward to speak.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall and unanimously carried, Council closed the public hearing.

Upon a motion by Councilmember Townsend, seconded by Councilmember Dry and unanimously carried, Council approved Ordinance 23-23 which contains ZMA-23-05, with the following consistency statement:

The Albemarle City Council finds the action to amend Tax Record 3145 from R-10/General Residential District to GHBD/General Highway Business District to be consistent with the adopted 2028 Land Use Plan. More specifically Section Five: Goals, Objectives, and Strategies, Policy Directives Objectives O-4.c and O-9.a. Council finds the General Highway Business District zoning on this parcel to be reasonable and in the public interest.

[Ordinance 23-23 – Consider a Request to Rezone a 1.54 Acre Parcel on Highway 24-27 Bypass West from R-10/General Residential Business District to GHBD/ General Highway Business District (ZMA23-05)]

ANNOUNCED DELEGATION

Matt Jaeger, Portfolio Manager – Retail Strategies – Review of Retail Strategies’ Services and Activity

The City Manager introduced Mr. Jaeger. Mr. Jaeger came in front of Council to give his presentation and take questions.

Mr. Jaeger spoke about Retail Strategies mission and support of the City of Albemarle as well as their approach to assisting the City in supporting businesses to locate in Albemarle. His presentation offered the following points:

- The company was founded in 2011 and entered into partnership with the City of Albemarle in 2014;
- In the summer of 2021 along with ElectriCities and the City, Retail Strategies/Downtown Strategies helped develop a 5-year strategic vision for downtown Albemarle;
- Retail Strategies uses data and demographic analysis; annual visits to Albemarle; “pleasant persistence” with retail brands promoting Albemarle sites; trade show representation; assisting with multiplying economic development efforts; and leveraging industry relationships to promote retail opportunities in Albemarle
- He recounted a number of national retailers they helped the City locate operations in Albemarle, including Chik fil A, Starbucks, Jersey Mike’s, Planet Fitness, and Ollie’s Bargain Outlet, among others
- The resources they use to recruit retailers to Albemarle;
- Their recruitment focus for Albemarle (by retail types, such as national and retail grocers, full-service restaurants, fast-casual restaurants, clothing/apparel retailers, home improvement retailers, shoe and hobby/craft retailers, and high-end regional convenience stores);
- The vision for the partnership with the City:
 - Establish Albemarle’s unique market position with national retailers, their brokers, and developers.
 - Recruit large-market, state based developers to actively monitor the market for opportunities.
 - Push Charlotte and Raleigh-based brokers to see viability in Albemarle for clients.
- Review of a number of active recruitment prospects.

He took questions from Council. Is there a full-service restaurant on the prospect list? Not currently but with the shift of the industry back towards expanding locations it will become a focus for Retail Strategies. How does Retail Strategies’ work translate to downtown? Usually different dynamics drive downtown retailers, which are largely local entrepreneurs, but Retail Strategies provides retail analyses to downtown businesses free of charge. How often does Retail Strategies work with City staff to provide information about retailers? At least quarterly and sometimes more frequently the company shares data with the City Manager and Economic Development staff. Since the City recently hired a new Economic Development Director, how has Retail Strategies helped bring her up to speed? Retail Strategies has held a few Zoom conference calls with her as well as face-to-face meetings noting that these communications need to occur in order for both City Staff and Retail Strategies to stay aligned with the City’s vision.

The last time Retail Strategies came in front of Council they received a gap analysis – is there anything more recent? This presentation is largely based on the 2022 gap analysis. Will Council receive an updated leakage report? This will be provided to Council.

Council and Mr. Jaeger had a discussion about newer local economic dynamics Retail Strategies should be aware of, including the regional attractions of the lakes and Uwharrie Forest, as well as Albemarle-specific projects such as the Albemarle Business Center. Mr. Jaeger assured Council that through analyses such as consumer profiling they take into account these local and regional factors.

UNANNOUNCED DELEGATIONS

The Mayor announced that the review of the flotation device policy at City pools would occur at this point in the meeting, followed by the unannounced delegations since those folks wanted to discuss the City's flotation device policy.

Review of Policy for Flotation Devices at City Pools

Parks and Recreation Director Lisa Kiser came in front of Council to discuss the flotation device policy for City pools. A brief presentation and the flotation device policy were distributed to Council in meeting prior to staff remarks.

Operating pools is considered the riskiest activity in Parks and Recreation. However Albemarle's Parks and Recreation safety record stands, with no drownings and no CPR administration needed at the City's pools for years. The City trains its lifeguards, requiring training at point of hire and performing in-service trainings during the pool season. Also the Parks and Recreation Department offers swim lessons, which is the best practice for learning how to be in the water.

In regard to the policy, flotation devices are not allowed in City pools except for disabled persons, who can request an exception via a form, and once approved need to remain in the shallow end of the pool with a caregiver. Flotation devices are a liability to the City. They are not a substitute for swimming lessons or the attention of a caregiver. During shifts City lifeguards are limited in how often they can do body counts in the pool. Lifeguards are people's last defense for water safety.

Staff took questions from Council. Per a question from Council about lifeguard coverage, Ms. Kiser noted that lifeguards have 2 shifts, with 12 lifeguards per shift per pool. How does the City's policy hold up to other towns? The policy is unique to the City, and addresses variables such as the pool size, staffing requirements, etc. Isn't there a lifeguard shortage being reported nationwide? Actually there is an industry shortage of lifeguards, and the City is lucky to have fully staffed the lifeguard positions for the summer. Lifeguards typically work 30-40 hours/week as seasonal staff. Currently, there are 2 pool managers (1 for each pool), assistant pool managers, a few returning seasoned lifeguards, along with a number of new lifeguards on staff.

Council thanked staff for their presentation and the Mayor began calling up unannounced delegations one by one wishing to speak about the no flotation device policy in City pools.

Kim Stotesbury, living at 49428 River Run Road in Albemarle came forward to make remarks. She thanked Council for the opportunity to speak tonight about the City's pool flotation device policy. She worked as a real estate trainer for many years and so her remarks would be from a viewpoint of a trainer. Her remarks fell around the theme of "disparate impact" which she defined as something created to protect a certain group of people but which ended up having a harmful effect on that very group of people. She equated the City's no flotation devices in City pools policy one that had disparate impact on colored families and those who had a family member who is handicapped. She chose to speak on behalf of the community and her daughter Amber Harley who has young children and frequents City pools. Her daughter is an expert swimmer and teaches her kids how to swim but was in the position last summer to help out a small child who was struggling but whose grandmother couldn't access the child to help. Her daughter felt torn between assisting the struggling child and not losing sight of her own children and felt if the struggling child had a personal flotation device on in the pool then he daughter never would have had to be in that position. Ms. Stotesbury commented that she felt the City's flotation device policy is unsafe, unreasonable, and creates a disparate impact for children of families who can benefit from having a personal flotation device with them in a City pool, which would be the only pool related resource they would be able to access.

Morgan Perez living at 32062 NC Highway 740 in Albemarle came forward to make remarks. She recounted her encounter with Parks and Recreation staff surrounding her request to a City pool employee for use of a life vest for her son. She was told that she would need to fill out a form to see if she would be approved. There was no same day approval. The request was approved with stipulations: her son would only be allowed in the shallow (1' - 3') end of the pool with her present in the water with her son, and if she took her son into the deeper end, he would need to remove the life vest. With her experience with this policy she rhetorically asked: does the City approve all exceptions or are some denied? Are personal flotation devices available at both pools for disabled swimmers?

Ms. Perez went on to make a series of statements calling out the City and its flotation device policy, comparing to other area pools and their acceptance of flotation devices and stating her understanding that the Red Cross supports the use of personal flotation devices for inexperienced swimmers.

Rachel Hooper living at 2227 Woodhurst Lane in Albemarle came up to make remarks. She first stated that flotation devices requested would be ones Coast Guard approved. She then provided a scenario mimicking what her perspective of the City's flotation device policy would play out for a family outing to a City pool currently. She then listed reasons why the City should consider personal flotation devices in City pools. She recounted a scene at the pool she witnessed recently with a handicapped child in a City pool with both parents getting in with their kid and not pay attention to their other kids, and when the family asked for a flotation device there was not an exception form on site and the kid had to stay at of the pool for the rest of the family's visit. She relayed some statistics about autistic children and their draw to water and the number of drownings of autistic children which could be prevented in part due to the availability of a flotation device. She ended her remarks by telling Council that the City should allow flotation devices in City pools and asked why the City was clinging to its policy when to her it doesn't make any sense. She distributed 1 packet of materials to Council.

Ms. Hooper's daughter Penny came in front of Council to make remarks. She told Council that flotation devices should not be banned because they can save kids' lives. She told a story where the older sister wanted her younger brother to be with her in the pool but he couldn't because he couldn't wear a flotation device and it ruined their summer. She has saved her brother before from drowning and was lucky she was there to help him because he didn't have a life jacket or puddle jumper on.

Council thanked the residents who came in front of them to speak about the pool flotation device policy. Council further discussed the issue. The Mayor began by stating that Council need further time to review the policy. Mayor Pro Tem Hall commented that being a current YMCA swim instructor and a state child fatality task force member for 14 years, this is a common issue in which she has been involved in discussion at the state and local level. The City does have a responsibility to protect children and adults who can't swim or who have trouble swimming, but also gave kudos to Parks and recreation staff over the years for having a perfect safety record with the operation of City pools. She also commented that the City should do some comparative research into how other municipalities and regional entities operating water attractions handle the use of flotation devices.

The Mayor added that Council should get the City Attorney's position on this too.

Councilmember Dry thanked the people who came in front of Council to speak tonight. From his understanding of the issue so far, he counseled Council to look into how the City serves inclusive and exclusive populations. He also felt that the City should not put rules out there which make City resources frustrating to use.

Councilmember Aldridge thanked the residents who spoke for coming out. He noted that he found the speakers performed due diligence and are passionate about a topic. He thought that Council should take its time to review this issue.

Councilmember Hunt stated that due to the summer/pool season already underway Council should get this back to them by the July 10th meeting if not sooner so that any potential change in policy could be enacted before the current pool season ended.

Council consensus aligned with Councilmember Hunt's suggestion to review this policy again sooner, and could if Council decided to hold a meeting before July 10th.

ADMINISTRATIVE REPORTS

Albemarle Business Center Construction Progress Update

The City Manager gave Council the update. The construction and development of the ABC is progressing. Approximately 2/3 of the fine grading was completed as of my June progress meeting with the General Contractor, NJR Group. The new water line connection to the existing water line on Henson Street is complete. The pond on the site has been drained and the testing of all installed sewer is now complete. The first section for paving is scheduled for mid-to late June. NJR Group still anticipates beginning work on US Highway 52 in the next few weeks.

The City Manager also reported that for the contracted Golden Leaf Foundation grant work, there were not enough bids the first time and so the bidding process will reopen June 30th. If there still are not enough bidders then the bids received can be opened. Council should be receiving the low bid/staff recommendation for that ABC project at the July 10th meeting.

Departmental Monthly Reports

The Mayor and Council received departmental monthly reports for May 2023. The Mayor asked if Council had any questions or comments.

Mayor Pro Tem Hall had a series of questions. Related to the Economic Development report, she asked for clarification on what was meant by the Second Street Alleyway. Per the City Manager it likely refers to the alleyway between the Michael Carpino property and the Albemarle Sweet Shop.

She had a series of questions related to the HR report. Per the update on the performance appraisal process, 132 entries were in the online system – shouldn't there be more at this point? HR Director Dana Chaney came up in front of Council to address this question. All supervisors are not quite there yet in entering performance evaluation information for their direct reports. To assist, HR will be holding training for supervisors and employees over the summer with the intended deadline still September in order to implement any merit raises. Mayor Pro Tem Hall then asked about the status of the health and wellness center RFP process and whether the City will still pay for gym memberships for employees, and how gym memberships are being policed. Ms. Chaney replied that the City is still paying monthly, and HR checks visits to the gym. For the wellness center RFP, the RFP has been developed but has not yet been sent to vendors. Will the health and wellness center take the place of gym memberships? Likely it will not.

The Mayor announced that the Resolution 23-16 Public/Private Parking Lot Agreement item would need to be removed from the consent agenda since there are 2 Council members who need to be recused due to conflict of interest.

The Mayor called for a motion to keep items on the consent agenda, with the exception of the Albemarle Hotel parking agreements/Resolution 23-16.

Upon a motion by Councilmember Dry, seconded by Councilmember Hunt and unanimously carried, Council approved the motion.

The Mayor called a motion to excuse Mayor Pro Tem Hall and Councilmember Bramlett from this discussion and vote.

Upon a motion by Councilmember Dry, seconded by Councilmember Hunt and unanimously carried, Council approved the motion.

Both Council members left Council Chambers.

Resolution 23-16 – Public/Private Parking Agreement

The temporary construction easements allowing for the construction of the parking area behind the Albemarle Hotel and neighboring businesses requires Council's approval. The construction requires access to private property, and the owner's permission for access to their property is demonstrated through their signature of the attached agreements. Additionally the City, First Bank, and the Albemarle Hotel have agreed upon a Parking License Agreement to authorize parking privileges to certain parking spots that cross property boundaries.

The City has previously performed the work to which we agreed, which was the parking area behind the hotel. If this larger project is approved, a demolition and construction plan will be developed as the immediate next step. What has been developed to this point is only a conceptual design.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge and unanimously carried, Council adopted Resolution 23-16 approving the parking easement agreements as stated above and the parking license agreement among the City, Albemarle Hotel, and First Bank.

[Resolution 23-16 – Public/Private Parking Agreement]

Mayor Pro Tem Hall and Councilmember Bramlett returned to their seats in Council Chambers.

CONSENT AGENDA

Resolution 23-13 – Water and Sewer Rate Adjustment

Water rates are proposed to increase by 3% and sewer rates are proposed to increase by 8%. Tap fees for new construction are increasing to cover costs of tap installation and street repair.

[Resolution 23-13 – Water and Sewer Rate Adjustment]

Resolution 23-14 – Electric Rate Adjustment

Electric rates are mostly recommended to stay the same. However, there is a proposed reduction in the medium general rate class where medium general service customers are expected to see an average 11% decrease in their bill.

[Resolution 23-14 – Electric Rate Adjustment]

Resolution 23-15 – Salary Schedule Adjustment

The City of Albemarle 2023-2024 Budget provides for compensation adjustments necessary to remain aggressive and competitive to attract and retain employees, a foundational objective of the Strategic Plan and approved Compensation Philosophy (attached). The budget includes an across the board 6% cost-of-living increase for all employees. This cost-of-living increase will be effective with the pay period beginning July 9, 2023, and payable July 28, 2023.

The implementation of the cost-of-living adjustment will address two compensation issues as follows:

- The salary ranges on the proposed schedule will increase all position ranges by 3%. This is designed to aid in recruitment and remain market competitive.
- The remaining 3% of the cost-of-living adjustment will increase all employee salaries 3%. This is designed to move existing employees away from the minimum of the range and address pay compression.

Finally, the City studied the pay ranges of approximately 1/3 of the City’s workforce (Police, Public Works, and the Water Sewer Systems Division) to begin our annual 1/3 market review. Recommended changes to the grades of these positions are implemented with the salary schedule change.

[Resolution 23-15 – Salary Schedule Adjustment]

Consider Road Closure for Forest Hills Neighborhood July 4th Parade

Forest Hills Neighborhood will host their annual July 4th parade. The July 4th Parade will take place on July 4, 2023 with the road closure needed from 9:30 am – 1:30 pm.

Roads requesting to be closed:

- Azalea Dr. From Ninth St. To Cannon Ave.
- Azalea Dr. From McGill St. To Sixth St.
- Seventh St. and Eighth St.

Consider Road Closure for Mt. Zion Baptist Church Vacation Bible School Block Party

Mt. Zion Baptist Church is requesting road closures for a Vacation School Block Party. The event will be held on Friday, June 23rd from 5:30 pm – 8:30 pm.

Roads requested to be closed:

- Wall St. from Martin Luther King Jr. Dr. To Lundix St.
- Gibson St. from Colston St. To Wall St.

Upon a motion by Councilmember Dry, seconded by Councilmember Hunt and carried unanimously, Council approved the following:

- Resolution 23-13 for water and sewer rate adjustment;
- Resolution 23-14 for electric rate adjustment;
- Resolution 23-15 for salary schedule adjustment;
- Road closures per the permit application for the Forest Hills July 4th parade; and
- Road closures per the permit application for the Mt. Zion Baptist Church Vacation School Block Party on June 23rd.

UNFINISHED BUSINESS

Ordinance 23-22 – Consideration of Fiscal Year 2023-24 Budget

The City Manager updated Council about the budget process thus far, and answered questions they asked in the June 5th meeting about the proposed Fiscal Year 2023-2024 budget. As a recap, the budget and budget letter were presented on May 1. A work session was held on May 9th with supplemental information being provided at the work session. The Public Hearing was held June 5. By law, the budget must be adopted by June 30.

In relation to questions Council asked at the June 5th meeting, the agenda packet had a summary of responses which the City Manager quickly went over with Council.

A question was asked regarding fund balance percentage and cash. Fund balance at the close of the previous fiscal year was 31.7%. Our total General Fund cash (excluding restrictions and cash in capital project) stood at \$9.6 million as of June 20, 2022. Please keep in mind, cash and fund balance are different terms and therefore different amounts. Fund Balance Available in the General Fund at Fiscal Year Ending June 30, 2022 was \$6,668,562 and is calculated as:

$$\begin{aligned} \$6,668,562 \text{ (Fund Balance Available)} &= \$9,267,157 \text{ (Fund Balance)} - \\ & \$71,021 \text{ (Non-Spendable Fund Balance)} - \$2,111,579 \text{ (Stabilization by} \\ & \text{State Statute)} - \$415,995 \text{ (Powell Bill Restricted Fund Balance)}. \end{aligned}$$

Cash can increase and fund balance decrease at the same time. This can occur when there is a large budget increase, or when one time or unique expenditures flow through the General Fund, even when they are a revenue and expenditure wash due to fund balance being a percentage of expenditures.

A question was also asked about the Parks and Recreation Master Plan at the June 5 meeting. The most recent Plan is dated 2010 and was part of a county-wide plan in which the City participated. Most of the projects in that initiative have been implemented, or the City's recreation needs have changed. The current plan would not be useful in seeking funding according to Parks and Recreation Director Lisa Kiser. This necessitates the need for our own, updated plan. With the new interests we are experiencing and expanded recreational offerings, this is also a reason to update the Parks and Recreation Master Plan. There are potential restroom, lighting, and other needs at our parks, however, improvements in these areas should be considered along with other recreational needs. Planning for such improvements should be considered as part of the larger needs assessment and discussion and considered as part of that process.

The Mayor opened up the floor for discussion and any further questions from Council.

Mayor Pro Tem Hall had a few comments. She first stated that although she is not against the Parks and Recreation master plan, per comments she made at the June 5th meeting she still believes that other more immediate work at Parks and Recreation facilities such as additional bathroom installation should be funded. She also reiterated that the City should not be using fund balance to create a balanced budget, but rather should use ARPA funds.

Upon a motion by Councilmember Townsend, seconded by Councilmember Dry and carried with a vote of 5 Council members for the motion and 1 against, Council approved Ordinance 23-22 and the Fiscal Year 2023-2024 budget.

Mayor Pro Tem Hall voted against the motion.

[Ordinance 23-22 – Approval of Fiscal Year 2023-24 Budget]

Resolution 23-12 – To Join and Incorporate the Yadkin-Pee Dee Water Management

Group

This item was held over from the June 5th meeting.

The City of Albemarle, along with several other water providers along the Yadkin-Pee Dee River chain have been members of the Yadkin-Pee Dee Water Management Group since its origination in 2016. Public Utilities Director Jay Voyles has provided a background memo on the partnership in the agenda packet for Council consideration.

Staff recommends supporting the incorporation of the Yadkin-Pee Dee Water Management Group due the valuable resources the group provides to its members. In the agenda packet are also the group's proposed bylaws, a memo from the Group's legal counsel, and a draft resolution for Council to consider.

Public Utilities Director Jay Voyles came in front of Council to take questions, and to follow up on questions they asked at the June 5th meeting. He stated that at the June 8th meeting of the members of the Yadkin-Pee Dee Water Management Group he spoke with members, and also researched the issues raised by Council. He understood Council to have 2 concerns, for which he provided clarity as follows:

1. Eligibility of Membership – Per the bylaws submitted to Council at the June 5th meeting and again for this meeting, only current members are eligible for membership in the nonprofit. In terms of membership, there are members who do not draw directly from the Yadkin/Pee-Dee chain, but still can be members of this group because they are interconnected with members who do draw directly from this basin. An example he gave was Statesville, which gets water from Salisbury which pulls directly from the basin.
2. Management of the Yadkin/Pee Dee Basin – Per his discussion with other partner representatives at the June 8th meeting, Mr. Voyles told Council that the consensus perspective was for managing the basin as a resource and not policing who members should or should not be.

Mr. Voyles emphasized to Council that it would be a good move to approve membership into the nonprofit.

Councilmember Bramlett revisited his unease about the proposed nonprofit incorporation likening it to a scheme to take over water management rights of the Yadkin Pee Dee Basin by the larger entities in the group. Councilmember Dry countered that if the City does not join the nonprofit incorporation, then it would not have the inside track to be able to protect the basin water management system. Mayor Pro Tem Hall stated she was apprehensive about larger entities in the region gaining direct access to a natural resource in Stanly County. She also wanted to make sure that the City would benefit if Council decided to sign off on incorporation into the nonprofit. She stated that she would feel more comfortable having another pair of eyes reviewing the documentation, and has sent the information to that person and is awaiting a response. Mr. Voyles reminded Council that the

incorporation documentation holds a clause that a member can extract themselves from the nonprofit at any time.

Council and Mr. Voyles discussed whether membership in the group currently versus as a member of a nonprofit carried any benefits or consequences either way. The Mayor asked if grants were to be submitted for funds for water management would the City be supporting other members' applications as well as submitting on its own? Mr. Voyles replied that the group as a whole would seek funding once incorporated as a nonprofit.

The Mayor called for a motion. Councilmember Dry made a motion to approve Resolution 23-12, seconded by Councilmember Aldridge. The Mayor asked if there was any further discussion before a vote.

Mayor Pro Tem Hall called a substitute motion to hold off on a decision on Resolution 23-12 until Monday, June 26th. When asked to clarify the motion by Councilmember Aldridge, Mayor Pro Tem Hall noted to Council that she couldn't support this item now but should she receive the input she is looking for by early the following week there still would be time for Council to make a decision before the water management group's deadline of June 30th.

The Mayor called for a second on Mayor Pro Tem Hall's motion. Councilmember Hunt seconded the motion. Upon a vote of 4 Council members for the motion and 2 opposed, Council approved readdressing this item in another meeting to be held on Monday June 26th which the Mayor said Council would set the time by meeting's end. Council members for the vote included Mayor Pro Tem Hall and Councilmembers Hunt, Aldridge, and Dry. Council members voting against the motion were Councilmembers Bramlett and Townsend.

Council asked the City Attorney's legal opinion on the matter. Ms. Burch stated that in a situation like this, with a series of lawyers specializing in fields related to incorporation of a different organizational structure and water management overseeing this process, she could not render a legal opinion on this for Council.

Council chose at this point to hold off further discussion and a decision until Monday June 26th.

NEW BUSINESS

Special Use Permit 23-01 – Proposed Compartmentalized Storage in General Highway Business District (GHBD) Mall Site

Council conducted a quasi-judicial hearing to consider each of the criteria for approval and consider approval of the requested Special Use Permit by Dusty Mason of DILS Properties, LLC for compartmentalized storage inside a portion of the old mall, tax parcel #33360. In GHBD these uses require special use permit.

The Mayor asked Planning staff to introduce the Special Use Permit request.

The Mayor asked whomever needed to speak as part of the Special Use Permit hearing to come forward to be sworn in. Mr. Mason and Mr. Travis Swain, Senior Planner, were sworn in for testimony by the Mayor.

Mr. Swain read verbatim the Special Use Application and staff analysis for Council (refer to the Special Use Permit #23-01 Staff Analysis document in the June 19, 2023 agenda packet online at <https://www.albemarle.gov/government/city-council-meetings/city-council-meetings-2023>). He noted that the Special Use Permit application was signed off by the applicant DILS Properties, LLC the representative of which is Dusty Mason. He noted the address of the property in question 814 NC Highway 24-27 Bypass E tax parcel #33360. Mr. Swain then showed Council the zone map and aerial map of the old mall property.

The Special Use Permit would allow for a climate controlled storage business to occupy some of the area in a commercial shopping center alongside other commercial and retail businesses. §92.102 GHBD General Highway Business District (C) Special Uses (4) Compartmentalized Storage Units. He reviewed the applicant's responses to the conditions for approval as follows after instructing Council that they need to approve the below listed conditions.

- (a) The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and provided.

Applicant Statement: The proposed storage business will in no way endanger the public health or safety.

Staff Comment: Staff believes the compartmentalized storage units will not endanger the public health or safety based on the units being located within the existing structure, as shown on applicants submitted site plan.

- (b) The use meets all required conditions and specifications.

Applicant Statement: The use as a climate controlled storage will meet all conditions and specifications for offering a first class indoor climate controlled storage operation, which isn't currently being offered in Albemarle. I have met with city staff and reviewed all the requirements for the use. The building plan is attached to the application.

Staff Comment: Staff believes the indoor climate controlled, secured facility meets the intent of the fencing requirements by making the units accessible only through controlled access entrances located on the building. The applicant will not have storage units individually accessible from the outside of the existing structure. In addition, Staff feels that no businesses will be conducted within any individual unit and the indoor compartmentalized storage business will be completely separated by walls from other businesses on the property.

- (c) The use will not substantially injure the value of adjoining or abutting property, or, alternatively, that the use be a public necessity.

Applicant Statement: This use will actually allow the continued enhancement by the developer of the property. This is the site of the former mall. 65% of the entire shopping center has been vacant for more than 10+ years. Portions of the old mall have been

vacant for 25+ years. Old large malls that set vacant, especially in smaller towns, often become very dilapidated and "eye sores". In this commercial environment, older large mall space is very hard to achieve maximum occupancy level due to the cost of renovations in those areas as well as limited numbers of big box retailers that will come in those areas. By allowing a first class climate storage facility a special use permit and to occupy a portion of that space will enhance the value of the property, the tax basis, and the adjoining properties. The property was purchased for \$2,650,000 with an additional \$6,000,000 budgeted for renovations and improvements putting the total cost at \$8,650,000. But just as important as the values it will enhance, it will also provide a service to the community that is currently "under-supplied" in this market as referenced in our feasibility study that we had completed by a storage feasibility professional which is attached to this application under the Executive Summary's and Opinions section (page 9-10).

Staff Comment: Staff has reviewed the real estate opinion letter by Carolina Commercial and believe the proposed use will not substantially injure the value of adjoining or abutting property.

- (d) The proposed use is in harmony with adjacent uses in terms of location, scale, site design, hours of operation and operating characteristics.

Applicant Statement: The use will not substantially injure the value of adjoining or abutting property, or, alternatively, that the use be a public necessity.

Staff Comment: Staff believes the proposed indoor compartmentalized storage business, upon approval by City Council, will be in harmony with adjacent uses by its location to NC 24-27 Bypass E. and E. Main St. Furthermore, the business has at least two entrances to the above mentioned roadways. Also, due to the compartmentalized storage spaces having indoor access and operated within its own space within the building staff believes the scale and site design are in harmony with adjacent uses. Lastly, operating hours and characteristics will be similar to surrounding businesses, therefore staff believes the proposed use is in harmony with adjacent uses.

- (e) Be in general conformance with adopted plans.

Applicant Statement: The footprint of the building is remaining as is.

Staff Comment: Based on the 2028 Future Land Use Map and Plan Staff believes the intended use meets the commercial area classification stating, "Other heavier uses may include mini warehouses and automobile sales lots." The location of the proposed use has access to major thoroughfares which is desired by the Future Land Use Plan. Overall, staff believes this use, if approved, is in general conformance with the adopted plans.

Mr. Swain went over verbatim any additional conditions which Council could consider.

The Mayor noted to Council that for a quasi-judicial hearing they require competent, material, or substantive evidence for the Special Use Permit request. In this type of hearing only persons of standing can provide testimony or evidence.

He then instructed Council that if any member of Council had a conflict of interest related to this Special Use Permit request or if they have had any *ex parte* communications regarding this request to disclose it now. No one on Council responded.

The Mayor invited the applicant up to make his presentation. Mr. Dusty Mason came forward and addressed Council. He thanked Council for the opportunity to speak to them tonight. He noted to Council if they were unfamiliar with the history of what his company has done, he would take them through the history over the last 20 years. The Delco property where Gold's Gym is the company took what was less than 4% leased at the time and was very dilapidated with a lot of problems to 100% occupied in about 4 years. They moved to the Tractor Supply Center which was less than 50% occupied and took it to 100% occupied. For the Delco Plaza, almost all of the tenants were local Albemarle resident owned businesses, which they were proud of doing that. They took the Five Points property holdings which is the old Pontiac Point building. They are doing this as leasing or putting operating businesses in. So they put Five Points Restaurant into that (old Pontiac) building and brought it back. That's a very thriving business for them now. Then they did the DMV building which he thought turned out really well.

With the old mall property it's 142,000 square feet and this is why he thought the past developer just locked the doors on a portion of the property. When they went in to see the property, there were payphones on the walls, Apple computers in the back, and it was just locked. So he thought that 142,000 square feet is how the company can renovate the property, operate the property, and lease it at competitive rates and still do all the upbeats required like the roof. It's a million dollars just to put the roof on. That's just for starters. So a challenge was what can they do with all of the low-density space which is the old mall.

They will still keep retail across the front and utilize the back to generate some revenue to allow them to do these renovations and bring that property back, and so [but then] the second part of that was [and then] what do we not have here that could be useful. [Kind of] to give you an idea Delco Plaza put the Uwharrie Medical Center in there and several doctors in there which is not a traditional retail use but it worked out extremely well. They had a study done (contained in the June 19th agenda packet). They realized that there is no climate controlled storage – there was storage but not climate controlled. They looked at vacant malls and other areas and seeing what they were doing. Some were taking it and turning it all into storage which is not what they want to do. They are looking for something that will supplement the income and renovation expense by providing some income to come through that area. So that's where they came up with the climate control [storage].

He attached the study (in the agenda packet) which recommended the storage and that's the company they hired which operates 150 storage facilities throughout the US. When you hire someone to do the study, about 80% of the time the results come back to not proceed with the project. But they were told to proceed with the project.

The Mayor asked Mr. Mason given the information he just provided Council, how much space up front will not be retail – the old Hibbett spot will not be retail now? Mr. Mason pulled up the

floor plan in the agenda packet and showed Council where Goodwill will be locating in the old mall. Mayor Pro Tem Hall asked if that spot will be a Goodwill storefront and part storage as well, which Mr. Mason answered affirmatively.

Mr. Mason used the plan drawing to visually walk Council through the modifications his company will make to the space. He noted that the entrance to the old JC Penney's will be closed, with the new entrance to be located by the incoming Goodwill store. He then noted that the company wants storage space to be a viable business and so an entrance will be close by the storage space. They will keep the old Hibbett space as retail and he pointed to two other spaces on the plan and indicated that they will be kept as retail as well. He noted that like Retail Strategies, his company is having discussions with potential retailers as well for the space. He also reiterated another point Retail Strategies made that it's hard to find mall-sized retailers currently. They operate in the same circles as the International Council of Shopping Centers (ICSC) and are a part of that group.

Mayor Pro Tem Hall asked about two of the spaces: Hibbetts and the old Shoe Show/Maurices – would that be storage? Mr. Mason replied that the old JC Penney's space and then around towards the back of the mall would be the storage space. She continued the line of questioning by asking for the 3 proposed storefront retail spaces, would they have their own storage space? Mr. Mason replied that yes there will be where there currently is a wall and bathrooms. He noted further that there is a lot of interest in small retail currently, so his company would prefer to do retail in the front of this complex. The Mayor clarified with Mr. Mason that the Special Use Permit request will entail modifying the proposed old mall space as retail.

The Mayor asked if anyone else with standing wished to come forward and make remarks. No one else came forward. The Mayor asked if Council had any questions. There were none.

The Mayor advised Council that it was time to go into deliberation on the conditions for the requested Special Use Permit and for any rebuttals.

Mayor Pro Tem Hall and Mr. Swain clarified the plans in the Special Use Permit packet regarding 4 retail spaces, 1 being Goodwill and the other 3 currently open. Mr. Swain stated to Council that is important to remember the layout of the proposed space before deliberating on the 5 conditions for the Special Use Permit. He explained that there will be no separate entrances from the storefronts into the compartmentalized storage space because the intent is to separate the storefront space from storage so that people can't in the future rent out a storage space and try to sell things from the storage area.

When there were no further questions or comments from Council the Mayor proceeded with the Council votes on each of the five following conditions required to be met for the applicant's Special Use Permit.

The Mayor requested Council consider and vote on the following conditions:

(a) The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and provided

Upon a motion by Councilmember Townsend, seconded by Councilmember Bramlett and carried unanimously, Council approved this condition.

(b) The use meets all required conditions and specifications.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Aldridge and carried unanimously, Council approved this condition.

(c) The use will not substantially injure the value of adjoining or abutting property, or, alternatively, that the use be a public necessity.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Townsend and carried unanimously, Council approved this condition.

(d) The proposed use is in harmony with adjacent uses in terms of location, scale, site design, hours of operation and operating characteristics.

Councilmember Dry made a motion to approve this condition, which was seconded by Councilmember Hunt.

Mayor Pro Tem Hall asked prior to the vote whether there was any specific information provided about hours of operation of the proposed retail and storage uses. On behalf of the applicant, Mr. Mason replied that for the compartmentalized storage space there will be 24-hour access given. She then commented that the 24-hour storage access stated did not sound like it was in accordance with this condition in terms of adjacent uses. Councilmember Bramlett added that he has never heard of storage space being given 24-hour access. Council deliberated on the access issue further with Councilmember Townsend commenting that he would not want to limit retail, to which Council agreed.

Councilmember Dry amended his motion to approve this condition with the addition of specification that the compartmentalized storage space will operate with 24-hour access, which was again seconded by Councilmember Hunt. Upon a unanimous vote, Council approved the amended condition.

(e) Be in general conformance with adopted plans.

Councilmember Aldridge made a motion to approve this condition, which was seconded by Councilmember Bramlett.

Mayor Pro Tem Hall asked Council if they wanted to be specific about the 4 retail spaces discussed as part of the plan. The Mayor advised Council that they could add this into the approval of the condition. The Mayor asked Councilmember Aldridge if he wanted to amend his motion. He replied that he wanted to keep the motion as is. The Mayor added that the applicant already answered this with his testimony tonight.

Upon a unanimous vote, Council approved the last condition.

The Mayor called for a motion to approve Special Use Permit 23-01 – Proposed Compartmentalized Storage in GHBD Mall Site.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge and carried unanimously, Council approved the motion.

Major Subdivision (MJSR) 23-02 – Brookwood Park

Council conducted an administrative hearing to consider a 168-unit cluster subdivision that is proposed along Anderson Grove Church Road, directly across from Greenview Drive. This development is comprised of lots that are between 5,125 and 9,300 square feet in size which will accommodate single family residences. The total acreage for this site is 58.17 acres. This property lies within R-10 General Residential District. This property is within the regulated watershed and is limited to 3 units per acre. The subdivision will be developed in 2 phases with the first to be built by the stream and the 2nd out west.

Planning and Development Services Director Kevin Robinson summarized the request and staff recommendations for Council, and took questions. He reviewed various topical aspects of the proposed subdivision as follows:

Access: Primary accesses to this development are proposed through six locations: two from Anderson Grove Church Road from the east of the property, and have connectivity to Woodhaven Dr. to the west, with a stub out on the north of the property, and two to the south of the property.

Open Space: As a cluster subdivision, the reduction in each lot determines the minimum amount of open space as well as 5% of the gross land area. The total open space provided on the plat is 21.03 acres of open space. Based on preliminary calculations, minimum requirement for open space is 19.49 acres. A detailed lot table has been provided to confirm reduced lot sizes. The developer is believed to have met this requirement. The developer has supplied adequate space but needs to provide details necessary for amenities for all active space.

Traffic Analysis: A traffic impact study is necessary for this project. The developer has provided one. The TIA calls for a 50' northbound left turn lane from Anderson Grove Rd onto the Woodhaven extension. DOT will have to approve this turn lane, but it is typical they will require these to be included in civil plans following preliminary approval.

Utilities and Topography: The developer proposes to utilize City water, sewer, and electric service to serve the proposed site. Utilities are readily available to the site and will be verified to meet standard specifications through the civil design and approval process if this plat were to be approved by City Council. Of topographical importance, there exists within the site boundary an existing stream running diagonally across through the property. Additionally, of natural resource significance, this property does sit within the watershed boundary and lots are subject to watershed rules.

Road Design: This development extends Woodhaven Dr. as a collector street from Hwy 740 through to Anderson Grove Church Rd. This street is proposed to be constructed to the same standards of the existing portion near The Reserve Apartments with a 70' right of way, 35' wide street between curbing, 12' planting strip and 5' sidewalks on either side. Woodlawn "Extension" will connect to Greenview Dr. At a 4-way intersection on Anderson Grove Church Road and will serve as a minor collector street providing alternative routes for residences in this area. All other local streets in this development are proposed as standard at 26' wide with a 5' wide sidewalk on each side of the road. These streets will include ditches for drainage as is consistent with watershed development.

Setbacks: The developer has shown setbacks as 30' in the front, 5' on the sides, 15' on corner sides and 30' in the rear.

Lot Sizes: To accommodate a single family residence, the smallest lot size can be 5,000 sq ft. The developer has met this requirement.

Staff has reviewed all plans and supplied feedback with the developer on this proposal and while there are some minor revisions, the plan is in conformance with submission requirements, lot size & cluster standards, size of open space. Staff believes it is reasonable for the Planning Board to provide objective feedback on the different design options and ultimately recommend that City Council approve this subdivision, but only if the following conditions are approved. Some of these may be taken care of prior to City Council consideration. Others may be kept as conditions which Staff will need to approve with submission of engineered plans.

Prior to City Council Hearing:

- Renumber Phase 1 lots to be consistent throughout plans

Prior to Submitting Civil Set:

- Move lots 31,39,40, 80, 60 and potentially 24,25,32,88, 89 so that there is no grading within the 100' stream buffer
- Stub Road B to the edge of property line or edge of tie in at north • Show turn lane on Anderson Grove Church as required by DOT
- Submit open space amenities plan
- Submit draft of covenant and deed restrictions covering long term maintenance

The Mayor asked if Council had any questions. Mayor Pro Tem Hall requested that staff point out exits and entrances into and out of the proposed subdivision. Is the subdivision located in a floodzone? No although one area of the subdivision would be considered floodplain.

The Mayor called for a motion.

Councilmember Dry made a motion to approve MJSR 23-02 Brookwood Park with the conditions detailed above set forth by Planning staff, which was seconded by Mayor Pro Tem Hall. The Mayor asked if there was any further discussion.

Per a question by Mayor Pro Tem Hall Mr. Robinson assured Council that setback dimensions are within the cluster subdivision parameters in the City's Code of Ordinances. Councilmember Aldridge commented that if Council approved this subdivision it would create an additional 168 homes on top of the 3,500-4,000 homes Council has already approved over the last 2 or 3 years. His concern with that volume is whether the City has the infrastructure to handle the increased population and strain on City resources that go along with development. The Mayor asked Councilmember Aldridge to clarify his meaning of infrastructure, to which Councilmember Aldridge replied the school system and safety (police and fire).

Per brief discussion about what kind of approval Council would be conferring, Mr. Robinson clarified that Council was considering an administrative approval of the cluster subdivision request, which essentially was Council “checking the boxes” for conditions and requirements of this kind of development per the City’s Code of Ordinances.

The Mayor stated that there was a motion on the floor by Councilmember Dry seconded by Mayor Pro Tem Hall to approve MJSR 23-02 Brookwood Park with the conditions detailed above set forth by Planning staff and asked for a vote.

Upon a unanimous vote, Council approved the motion.

Consider Appointments to Boards and Commissions

Council-appointed boards and commissions seats typically rollover on July 1st each year.

In the agenda packet Council received the following supporting materials to consider board/commission reappointments and appointments:

- Board/commission rosters;
- Board/commission member attendance;
- Volunteer applications for boards and commissions.

Council considered each board/commission reappointments and vacancies (with the exception of the Walk of Fame Advisory Board) as follows.

Planning and Zoning Board:

To be reappointed:

- Cavin Holbrook
- Julie Curtis
- Micah Shapiro
- Joey Gathings (until July 2025/partial term only)

There are 3 vacancies to be filled for the alternate seats.

Councilmember Hall made a motion to approve the reappointments of Mr. Holbrook, Ms. Curtis from an alternate to Mr. Scott’s vacated seat, Mr. Shapiro from an alternate to Mr. Bower’s vacated seat, and Mr. Gathings, which was seconded by Councilmember Bramlett.

Councilmember Townsend and Mayor Pro Tem Hall clarified Mr. Gathings’ seat on the board and Mr. Marcus Owen’s position as already having a primary seat on the board. With Mayor Pro Tem Hall’s motion, all 3 alternate seats would then need to be filled. She then stated that she has a proposal for Council on the 3 alternates seats which would now be open, to which Councilmember Townsend countered that he wanted to wait for an additional application to come in. Planning and Development Services Director Kevin Robinson told Council that 1 application just recently came in and the department is waiting on another application and so if Council wanted to wait on filling those alternate seats staff would be agreeable to that.

The Mayor called a vote on Mayor Pro Tem Hall's motion. Upon a unanimous vote the motion passed.

After the vote Councilmember Townsend commented to be fair Council should wait until all interested applicants submitted an application in order to fill the alternate seats on the Planning and Zoning Board. Mayor Pro Tem Hall asked whether all alternate seats would be considered later by Council, to which Councilmember Townsend reiterated all applicants should be given a chance for all 3 alternate seats.

Historic Resources Commission:

To be reappointed:

- John Crawford
- Tim Johnson

There are 2 vacancies to be filled.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Hunt and carried unanimously, Council approved the reappointments of Mr. Crawford and Mr. Johnson.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge and carried unanimously, Council approved the appointments of Lauren Wagoner and Stephen Trudeau to the Historic Resources Commission.

Parks and Recreation Advisory Board:

To be reappointed:

- Lawrence "Larry" Durrett
- Julie Curtis

The follow three vacancies will need to be filled:

- John Lipcsak
- Peter Ascutto
- Rick Johnson

Upon a motion by Councilmember Hall, seconded by Councilmember Hunt and carried unanimously, Council approved the reappointments of Mr. Durrett and Ms. Curtis.

Upon a motion by Councilmember Hall, seconded by Councilmember Hunt and carried unanimously, Council approved the appointments of David Salyers, Janet Ekis, and P. Denae Moore to the Parks and Recreation Advisory Board.

Tree Commission:

The following members are due for reappointment:

- Sandra Rushing
- Hannah Hearne.

Ms. Hearne does not want to be reappointed, but Ms. Rushing would like to be reappointed.

There would be 1 vacancy for a community seat on the Commission.

Upon a motion by Councilmember Hall, seconded by Councilmember Bramlett and carried unanimously, Council approved the reappointment of Ms. Rushing to the Tree Commission.

Mayor Pro Tem Hall requested to hold off on appointing any Tree Commission members as there is an application for that commission due in.

Albemarle Downtown Development Corporation (ADDC):

The Board recommends the following people be appointed:

- Bradley Eudy

Councilmember Bramlett made a motion to appoint Bradley Eudy to the Albemarle Downtown Development Corporation's Board of Directors, which was seconded by Councilmember Aldridge. Mayor Pro Tem Hall then stated per Article 4 of the ADDC bylaws that up to 13 members could sit on the Board of Directors which the Mayor confirmed.

Mayor Pro Tem Hall amended the motion to appoint both Mr. Eudy and Amy Burrell due to her background per her application to the ADDC Board of Directors, which was seconded by Councilmember Bramlett and unanimously approved.

Discussion of ElectriCities Annual Conference

Per a request by Mayor Pro Tem Hall, Council is receiving information about the annual ElectriCities Conference to be held from August 14-16, 2023 at the Marriott Myrtle Beach Resort at Grand Dunes in Myrtle Beach, S.C.

Enclosed in the agenda packet Council received information about the conference from the ElectriCities events webpage. Per the enclosed webpage, room block rates expire July 13th.

The Mayor informed Council to let the City Clerk know if they planned to attend for registration purposes by the end of the month and to let her know also if they wished to register their spouse. He indicated to Council that ElectriCities members are now responsible for their spouse's share of expenses at the conference.

CLOSED SESSION

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hunt, unanimously carried, Council approved moving into closed session pursuant to N.C.G.S. 143-318.11(a)(3) consult with the City Attorney and N.C.G.S. 143-318.11(a)(6) Personnel.

RETURN TO OPEN SESSION

Upon a motion by Councilmember Dry, seconded by Councilmember Hunt, unanimously carried, Council returned to open session. The Mayor stated that a closed session was held pursuant to N.C.G.S. 143-318.11(a)(3) consult with the City Attorney and N.C.G.S. 143-318.11(a)(6) Personnel.

Councilmember Bramlett made a motion to give the City Manager a \$5,000 raise which was seconded by Councilmember Dry. Upon a vote with 4 Council members for the motion and 2 against, the motion passed. Those voting in favor of the motion were Councilmembers Bramlett, Dry, Townsend, and Aldridge. Mayor Pro Tem Hall and Councilmember Hunt voted against the motion.

The Mayor announced that Council would recess to Monday, June 26, 2023 at 6:00 pm in City Hall to discuss the City's flotation device policy and the Yadkin Pee Dee Water Management Group's request for the City of Albemarle to incorporate as a member into a new nonprofit and called for a motion.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, unanimously carried, the meeting was recessed.